



Attorney Docket No.: Metal 1285-WCG  
99 00 17 US / A 7952

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : Rolf HEDDRICH et al.  
SERIAL NO. : 10/030,196  
FILED : January 5, 2002  
FOR : TRACK SUPPORT  
ART UNIT : To Be Assigned  
EXAMINER : To Be Assigned

May 14, 2002

Assistant Commissioner  
For Patents  
Washington, D.C. 20231

S I R:

**COMMUNICATION RE: FILING OF DECLARATION ON  
A DATE LATER THAN THE FILING DATE OF THE APPLICATION**

This is in response to the Notice to File Missing Parts of Nonprovisional Application under 37 CFR 1.53(b) dated March 20, 2002, in the above-identified application. A copy of said Notice is attached hereto.

It is respectfully requested that the enclosed declaration submitted herewith be joined up with the papers previously filed in this Application.

Applicant is:

☐ a small entity

☒ other than a small entity



It is requested that the surcharge for the filing of the Declaration be charged to the undersigned's Deposit Account No. 14-1263.

Please charge:

- ☐ \$ 65.00 for small entity  
☒ \$130.00 for other than small entity.

An extra copy of this communication is appended hereto for accounting purposes.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge the required Petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 14-1263.

Respectfully submitted,

NORRIS, McLAUGHLIN & MARCUS, P.A.

By William C. Gerstenzang  
William C. Gerstenzang  
Reg. No. 27,552

06/07/2002 GFREY1 00000152 141263 10030196  
01 FC:154 130.00 CH

WCG:gb  
Enc.- Declaration and Power of Attorney  
Copy of Notification of Missing Requirements Under 35 U.S.C. 371  
220 East 42nd Street, 30th Floor  
New York, New York 10017  
(212) 808-0700

I hereby certify that this correspondence is being deposited with the United States Postal Services as first class mail in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231 on May 14, 2002.

NORRIS, McLAUGHLIN & MARCUS, P.A.

By William C. Gerstenzang

Date 5/14/02



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/030,196

FIRST NAMED APPLICANT

Rolf HEDDERICH

ATTY/DOCKET NO

Metal 1285-WCG

INTERNATIONAL APPLICATION NO.

PCT/EP00/05846

IA. FILING DATE

06/24/2000

PRIORITY DATE

07/07/1999

William C Gerstenzang  
 Norris McLaughlin & Marcus  
 220 East 42nd Street  
 New York, NY 10017

CONFIRMATION NO. 9092

371 FORMALITIES LETTER



\*OC000000007666499\*

Date Mailed: 03/20/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

Adjustment date: 06/04/2002 ZJUHARI  
 05/31/2002 ZJUHARI 00000032 141263 10030196  
 01 FC:105 130.00 CR

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

05/31/2002 ZJUHARI 00000032 141263 10030196

01 FC:105 130.00 CR

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 305-3662

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/030,196	PCT/EP00/05846	Metal 1285-WCG

JB18 Rec's

28 MAY 2002

PTO/SB/21 (12-97)

Please type a plus sign (+) inside this box → ☒Approved for use through 9/30/00. OMB 0651-0031  
Patent and Trademark Office: U.S. Department of Commerce

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(To be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (To be used for all correspondence after initial filing)	Application Number	10/030,196
	Filing Date	January 5, 2002
	First Named Inventor	Rolf HEDDRICH
	Group Art Unit	To Be Assigned
	Examiner Name	To Be Assigned
Total Number of Pages in This Submission	Attorney Docket Number	Metal 1285-WCG

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> <b>Assignment Papers</b> (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> To convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> <b>Additional Enclosure(s)</b> (please identify below): - Communication (Join-Up Letter) - Copy of Notification of Missing Requirements Under 35 USC 371 - Combined Declaration/Power of Attorney
<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final		
<input type="checkbox"/> Affidavits/declaration(s)		
<input type="checkbox"/> Extension of Time Request		
<input type="checkbox"/> Express Abandonment Request		
<input type="checkbox"/> Information Disclosure Statement		
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input checked="" type="checkbox"/> <b>Response to Missing Parts/ Incomplete Application</b>  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks:		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	William C. Gerstenzang NORRIS McLAUGHLIN & MARCUS, P.A.	Reg. No. 27,552
Signature		
Date	May 14, 2002	

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to : Hon. Commissioner of Patents, Washington, D.C. 20231 on this date: May 14, 2002

Typed or printed name	William C. Gerstenzang	Date	May 14, 2002
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Hon. Commissioner of Patents, Washington, DC 20231.